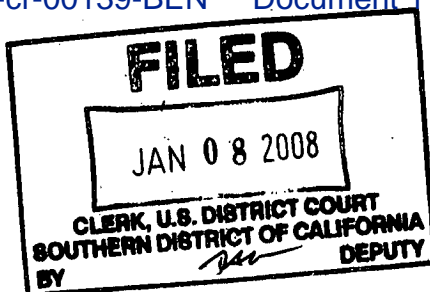


J  
DUSA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**'08 MJ 8006**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alberto Jose DEL MURO-Guerrero,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on or about January 7, 2008, within the Southern District of California, defendant Alberto Jose DEL MURO-Guerrero, did knowingly and intentionally import approximately 108.08 kilograms (237.78 pounds) of Marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Hugo A. Leon  
Hugo A. Leon, Special Agent  
Immigration and Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, January 8, 2008.

Peter C. Lewis  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Alberto Jose DEL MURO-Guerrero

4 STATEMENT OF FACTS

5 This complaint is based on the personal observations, investigation, and information  
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Hugo A. Leon.

7 On January 7, 2008, at approximately 0613 hours, Customs and Border Protection (CBP)  
8 Officer Bosquet was assigned to Vehicle Primary Lane two (2) of the Calexico, California East  
9 Port of Entry when a 1982 white Chevrolet utility truck bearing Sonora, Mexico license plate  
10 ZWC7483, approached for entry into the United States. Alberto Jose DEL MURO Guerrero was  
11 the driver, registered owner, and sole occupant of the truck.

12 CBP Officer Bosquet encountered DEL MURO and received a negative Customs  
13 declaration from DEL MURO. DEL MURO stated that he was a United States citizen and  
14 presented a copy of a California birth certificate bearing the same name as his entry document.  
15 CBP Officer Bosquet referred the truck and DEL MURO to the Vehicle Secondary Lot for  
16 further examination.

17 In the Vehicle Secondary Lot, CBP Officer Baca examined the utility truck and  
18 discovered a non-factory compartment in the flatbed area of the truck. CBP Officer Baca  
19 requested for Canine Enforcement Officer (CEO) Pyburn to utilize his Narcotic-Human Detector  
20 Dog (NHDD). The NHDD alerted to the flatbed area of the truck by sitting.

21 CBP Officer Baca discovered cellophane wrapped packages concealed inside a non-  
22 factory compartment in the flatbed area of the truck. CBP Officer Baca probed one of the  
23 packages producing a green, leafy, organic substance, which field-tested positive for marijuana.  
24 A total of twelve (12) packages were removed from the truck. The total weight of the packages  
25 was approximately 108.08 kilograms (237.78 pounds) of marijuana.

26 DEL MURO was advised of his rights per Miranda. DEL MURO stated that he  
27 understood his rights and was willing to make a statement without an attorney present. DEL  
28  
29

1 MURO stated to Special Agent Leon, he loaned the vehicle to a friend eight days ago. DEL  
2 MURO could not remember the friend's name.

3 DEL MURO stated to Special Agent Leon that if Special Agent Leon returned DEL  
4 MURO's \$849.00, which was seized, DEL MURO would provide names and addresses. While  
5 DEL MURO was being processed at the Imperial County Jail, DEL MURO stated to Special  
6 Agents Leon and Morquecho that everything he had previously stated to the agents was a lie.  
7 DEL MURO stated he had loaned the vehicle on January 6, 2007.